

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Garth Dahlen on April 17, 2009.

Claim 3 has been amended as follows. (The text of claims 2 and 4-7 remains as shown in the listing of claims filed January 26, 2009.)

3. (Currently Amended) An organic electroluminescent element as described in claim 2 wherein Ar₁ and Ar₂ are aromatic hydrocarbon groups ~~and~~ in the compound represented by formula II.

Applicant's amendment filed January 26, 2009, which amends claims 2-5 and 7, has been entered.

A certified translation of applicant's foreign priority application JP 2003-338081 (September 29, 2003) was also filed January 26, 2009.

The rejection of claims 2, 3 and 5-7 under 35 U.S.C. 102(a) as anticipated by JP 2004-146368 for reasons set forth in the previous Office action (notification date: September 24, 2008) is overcome by claim amendment.

Further, the present claims are fully supported by foreign priority application JP 2003-338081 such that JP 2004-146368 is not available as prior art against the present claims.

Claims 2-7 are allowed.

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 7:00 a.m. to 3:30 p.m. Monday and Wednesday-Friday.

The current fax number for all official faxes is (571) 273-8300. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

/Marie R. Yamnitzky/
Primary Examiner, Art Unit 1794

MRY
April 17, 2009